



PATENT
ATTORNEY DOCKET NO.: 47040.0007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Lynne DOUCETTE-STAMM et al.) Confirmation No.: 3315
Application No.: 10/724,972) Group Art Unit: 1645
Filed: December 1, 2003) Examiner: P. Baskar, Ph.D.
For: NUCLEIC ACID AND AMINO ACID)
SEQUENCES RELATING TO)
STAPHYLOCOCCUS EPIDERMIDIS)
FOR DIAGNOSTICS AND)
AND THERAPEUTICS)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, MAIL STOP AMENDMENT
Randolph Building
Alexandria, VA 22314

Sir:

RESPONSE TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Office Action dated March 21, 2006, responding to the Office Action of November 21, 2005.
2. Additional papers enclosed:
 - Submission of Replacement Drawing Sheets
 - Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821 – 1.825
 - One (1) CRF disc copy of Sequence Listing labeled “CRF”; Two (2) copies of CRF disc labeled “Copy 1” and “Copy 2”
 - Exhibits A, B, C, D, E, F, G and H.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| Total Months <u>Requested</u> | Fee for <u>Extension</u> | [Fee for Small Entity] |
|---|-----------------------------|---------------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$120.00.

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|----------------------------------|-------|-----------------------------|---------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 20 | minus | 34 | 2 | x \$50 each = | + .00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 8 | minus | 8 | 1 | x \$200 each = | + .00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | .00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | .00 |

6. Fee Payment

- Enclosed is Check No. _____ in the amount of \$120.00.
- The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of _____.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Dated: March 21, 2006

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